THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

W.P.No.2246 of 2007

Date:02.07.2007

Between:

K.Yadagiri

.. PETITIONER

AND

Velvarthy Mixed Handloom Weaver's Cooperative Society Limited and others.

..RESPONDENTS

ORDER:

The petitioner claims to be a member of the managing committee of the first respondent-society. He is alleged to have submitted a representation, dated 04.09.2006, to the District Collector, Nalgonda District, the fifth respondent herein, narrating the commissions and omissions of the society and requesting action thereon. His grievance is that no steps were taken on his representation and on the other hand, he is being prevented from participating in the meetings of the managing committee. He seeks appropriate directions in this regard.

Heard the learned counsel for the petitioner and the learned Government Pleader for Cooperation.

The A.P. Cooperative Societies Act (for short 'the Act') and the Rules made thereunder, provide for various kinds of steps in case any irregularity takes place in a society registered under it. These steps include inquiry under Section 51, inspection under Section 52 of the Act. In addition to them, Section 61 provides a

mechanism for resolution of disputes, members inter se, members and society and society and outsiders. When such elaborate mechanism is provided for, the petitioner has to avail any one such remedy.

Each provision had prescribed the manner in which the machinery has to be moved. For instance, an inquiry under Section 51 of the Act can be caused by the Registrar either suo motu or on a representation made by (a) the society in which the financing bank to which the society is affiliated to and (b) one-third members of the managing committee of the society or one-fifth of the total members of the society. Individual applications or representations cannot constitute the basis for such action. Therefore, if the petitioner intends any action, as contemplated under the Act, he has to make representation, in accordance with the relevant provisions.

So far as the complaint of the petitioner about his being prevented from attending the meetings is concerned, he can bring the same to the notice of the Deputy Registrar of Cooperative Societies concerned or may file a suit for injunction against those who are preventing him from attending the meetings.

For the foregoing reasons, the writ petition is disposed of, leaving it open to the petitioner to work out his remedies in accordance with law, as pointed out above. There shall be no order as to costs.

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02.07.2007

kdl